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09/988,907	11/20/2001	Cathy A. Lue Chee Lip	FE0053955511	9214

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EXAMINER

DENNISON, JERRY B

ART UNIT	PAPER NUMBER
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2143

MAIL DATE	DELIVERY MODE
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10/03/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/988,907

Applicant(s)

LUE CHEE LIP ET AL.

Examiner

J. Bret Dennison

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Action is in response to Application Number 09/988,907 received on 6/18/2007.
2. Claims 1-40 are presented for examination.
3. Applicant's arguments, see Appeal Brief, filed 6/18/2007, with respect to the rejection(s) of claim(s) 1-40 under Dietz have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hagar and Kuzma, provided below.

Claim Objections

Claims 11, 20, and 31 are objected to because of the following informalities:

4. Claims 11, 20, and 31 include the limitation, "if the user filling out and submitting the visitor request form is not hosting the visitor, then retransmitting another status message via e-mail to the user hosting the visitor."

While it is understood that "the user hosting the visitor" is not the same user as the user that "is not hosting the visitor" the claim language presents a possible antecedent basis. Examiner suggests amending the claim from "to the user hosting the visitor" to "to a user that is hosting the visitor."

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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5. Claims 11, 20, and 31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 11, 20, and 31 include the limitation, "transmitting a status message via email to a user filling out and submitting the visitor request form, and if the user filling out and submitting the visitor request form is not hosting the visitor, then retransmitting another status message via email to the user hosting the visitor".

It is unclear to Examiner how the component that is transmitting the status message determines if the user filling out the form is hosting the visitor or not.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 12, 21, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hagar et al. (U.S. 5,377,355) in view of Kuzma (U.S. 5,781,901).

7. Before a detailed mapping, Examiner would like to point out that Applicant's invention pertains to the simple functionality of filling out a form and emailing that form to an evaluator for approval over an intranet. As shown below, Hagar disclosed this

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functionality through the use of an automated system that allows used to fill out a form and send this form to an evaluator who provides a response.

8. Regarding claim 1, Hagar disclosed a method for processing a visitor request over an intranet for a visitor visiting an organization, the method comprising:

using the intranet within the organization for filling- out a visitor request form (Hagar, col. 5, lines 1-15);

submitting the filled-out visitor request form over the intranet only within the organization (Hagar, col. 5, lines 1-15);

creating a visitor database on the visitor based upon the filled-out visitor request form (Hagar, col. 4, lines 60-67, document profile/functional area identification, block 58, which is stored in database 14 of Fig. 1);

transmitting a visitor approval request message via e- mail to at least one evaluator within the organization if approval is required (Hagar, transmitting a message via email to an evaluator),

submitting an approval recommendation by the at least one evaluator via e-mail for updating the visitor database (Hagar, col. 6, lines 30-35, 50-53, col. 7, lines 10-40, evaluator approval).

Hagar did not explicitly state wherein the visitor approval request message includes a hyperlink to the filled-out visitor request form.

Official notice is taken that it was well known in the art at the time of the invention to send a hyperlink to a document instead of an entire document. Kuzma illustrates this fact in col. 4, line 65-col. 5, line 24.

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Hagar regarding a system for distributing a form with the idea of sending a hyperlink instead of an entire document because sending only a hyperlink reduces the size of e-mails that would be sent, thus reducing traffic.

Claim 12 includes a method with limitations that are substantially similar to the limitations of claim 1. Claim 12 also includes issuing a badge based upon a validated form. Applicant's specification does not provide the functionality of the system actually producing the badge and printing it out. Therefore Examiner's interpretation of the claim is the mere act of an employee receiving the approval email and based on the approval email, giving the visitor a badge. The act of giving a visitor a badge does not effect the functionality of the invention and therefore does not have any patentable weight.

Therefore, it would have been obvious to one of ordinary skill in the art to perform a human action in response to receiving an email approval in order to accomplish whatever is being approved. In the case of Hagar, such action includes preparing a meeting for instance (Hagar, col. 9, lines 45-47) or whether to go forward with the invention.

Claim 21 includes an intranet with computing devices performing the limitations of claim 1. Claim 32 includes a computer-readable medium that has data fields

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including the components of claim 1, such as the form, email and an approval recommendation. Therefore, claims 12, 21, and 32 are rejected under the same rationale.

9. Regarding claim 2, Hagar and Kuzma disclosed the limitations, substantially as claimed, as described in claim 1, including wherein the e-mail corresponding to the visitor approval request message is transmitted at least in part over the intranet; and wherein the e-mail corresponding to the approval recommendation is transmitted at least in part over the intranet (Hagar, col. 6, lines 20-34).

10. Regarding claim 3, Hagar and Kuzma disclosed the limitations, substantially as claimed, as described in claim 1, including validating the updated filled-out visitor request form (Hagar, col. 7, lines 5-30, evaluator approval).

11. Regarding claim 4, Hagar and Kuzma disclosed the limitations, substantially as claimed, as described in claim 1. Hagar and Kuzma did not explicitly state issuing a visitor badge based upon a validated filled-out visitor request form.

Applicant's specification does not provide the functionality of the system actually producing the badge and printing it out. Therefore Examiner's interpretation of the claim is the mere act of an employee receiving the approval email and based on the approval email, giving the visitor a badge. The act of giving a visitor a badge does not effect the functionality of the invention and therefore does not have any patentable weight.

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Therefore, it would have been obvious to one of ordinary skill in the art to perform a human action in response to receiving an email approval in order to accomplish whatever is being approved. In the case of Hagar, such action includes preparing a meeting for instance (Hagar, col. 9, lines 45-47) or whether to go forward with the invention.

12. Regarding claim 5, Hagar and Kuzma disclosed the limitations, substantially as claimed, as described in claim 4.

Hagar and Kuzma did not expressly disclose wherein the visitor badge comprises at least one of an escort-required badge and a no escort required badge.

However, these differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The form approval functionality would be performed the same regardless of the data. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability. See *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the nonfunctional descriptive material with the claimed invention because such data does not functionally relate to the steps in the method claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention.

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13. Regarding claims 6, Hagar and Kuzma disclosed the limitations, substantially as claimed, as described in claim 1, including wherein if a user filling-out and submitting the visitor request form is not hosting the visitor, then the method further comprises:

identifying a host of the visitor in the filled-out visitor request form (Hagar, col. 5, lines 1-15, Hagar disclosed identifying many fields in the form);

transmitting a visitor certification request message via e-mail to the host (Hagar, col. 6, lines 20-35), the visitor certification request message having a hyperlink to the filled-out visitor request form (Kuzma, col. 4, line 65-col. 5, line 24); and

submitting a certification recommendation by the host via e-mail for updating the visitor database (Hagar, col. 7, lines 10-20).

14. Regarding claim 7, Hagar and Kuzma disclosed the limitations, substantially as claimed, as described in claim 1.

Hagar and Kuzma did not expressly disclose classifying the visitor as either a regular visitor or a foreign visitor.

However, these differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The form approval functionality would be performed the same regardless of the classification. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability. See *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

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Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the nonfunctional descriptive material with the claimed invention because such data does not functionally relate to the steps in the method claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention.

15. Regarding claim 8, Hagar and Kuzma disclosed the limitations, substantially as claimed, as described in claim 7.

Hagar and Kuzma did not expressly disclose wherein a regular visitor comprises at least one of a U.S. citizen, and a non-U.S. citizen with an alien registration card. However, these differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The form approval functionality would be performed the same regardless of the classification. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability. See *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the nonfunctional descriptive material with the claimed invention because such data does not functionally relate to the steps in the method claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention.

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16. Regarding claim 9, Hagar and Kuzma disclosed the limitations, substantially as claimed, as described in claim 7.

Hagar and Kuzma did not expressly disclose wherein a foreign visitor comprises at least one of a non-U.S. citizen without an alien registration card, a person representing a foreign company, and a person having dual citizenship.

However, these differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The form approval functionality would be performed the same regardless of the classification. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability. See *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the nonfunctional descriptive material with the claimed invention because such data does not functionally relate to the steps in the method claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention.

17. Regarding claim 10, Hagar and Kuzma disclosed the limitations, substantially as claimed, as described in claim 1.

Hagar and Kuzma did not expressly disclose wherein the at least one evaluator comprises at least one of a security administrator and an import/export administrator. However, these differences are only found in the nonfunctional descriptive material and

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are not functionally involved in the steps recited. The form approval functionality would be performed the same regardless of the classification of the evaluator. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability. See *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the nonfunctional descriptive material with the claimed invention because such data does not functionally relate to the steps in the method claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention.

18. Regarding claim 11, Hagar and Kuzma disclosed the limitations, substantially as claimed, as described in claim 1, including transmitting a status message via e-mail to a user filling-out and submitting the visitor request form, and if the user filling-out and submitting the visitor request form is not hosting the visitor, then transmitting another status message via e-mail to the user hosting the visitor (Hagar, col. 6, lines 20-35).

19. Claims 13-20, 22-31, and 33-40 include limitations that are substantially similar to claims 1-11. Therefore, claims 13-20, 22-31, and 33-40 are rejected under the same rationale.

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Bret Dennison whose telephone number is (571) 272-3910. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.


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